



**CITRUS  
HEIGHTS**  
Solid roots. New growth.

# STAFF REPORT

Community Development Department  
Planning Division  
6360 Fountain Square Dr.  
Citrus Heights, CA 95621  
[www.citrusheights.net](http://www.citrusheights.net)  
(916) 727-4740

**Hearing Date:**  
September 28, 2022

**File Number:**  
PLN-22-14

**Application Type:**  
Tentative Parcel Map

**Assessor's Parcel Number:**  
243-0191-023-0000

**Prepared by:**  
Eric Singer, Associate Planner

**Project Name:** Raising Cane's Parcel Map

**Project Address:** 7804 Greenback Lane

<b>Gross Acreage:</b> 5.0	<b>Net Acreage:</b> 0.89 (lease area-proposed new parcel area)	<b>Maximum FAR:</b> 0.60 <b>Provided FAR:</b> 0.09
<b>Current Zoning:</b> SC	<b>Proposed Zoning:</b> SC	<b>Neighborhood Association:</b> 11

<b>Surrounding Zoning:</b>		<b>Surrounding Land Use Designation</b>	<b>Actual Use:</b>
<b>On-site:</b>	Shopping Center (SC)	General Commercial (GC)	Commercial Retail Center and Drive-thru
<b>North:</b>	Shopping Center (SC)	General Commercial (GC)	Commercial Retail Center
<b>South:</b>	Shopping Center (SC)	General Commercial (GC)	Commercial Retail Center
<b>West:</b>	Medium Density Residential (RD-20)	Medium Density Residential	Apartment Complex
<b>East:</b>	Shopping Center (SC)	General Commercial (GC)	Commercial Retail Center

**Environmental Status:**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> Exempt Section 15315 (Minor Land Divisions) | <input type="checkbox"/> Previous Negative Declaration        |
| <input type="checkbox"/> Negative Declaration                                   | <input type="checkbox"/> Environmental Impact Report          |
| <input type="checkbox"/> Mitigated Negative Declaration                         | <input type="checkbox"/> Previous Environmental Impact Report |

**Planning Department Recommendations:**

- Approve  
 Approve with conditions (Attachment 3)  
 Denial

<b>Applicant:</b>	Lawrence Lipp JFL LLC 5150 Fair Oaks Blvd, Ste 101 Carmichael, CA 95608	<b>Property Owner:</b>	Same as applicant
-------------------	--	------------------------	-------------------

## **SUMMARY RECOMMENDATION**

The Planning Division recommends the Planning Commission make the following motions:

1. Adopt Resolution 22-\_\_\_\_ determining the project is Categorically Exempt from CEQA per Section 15315 (Minor Land Divisions) of the California Environmental Quality Act;
2. Approve a Tentative Parcel Map to allow the division of an existing 5-acre parcel into two parcels, 4.12 and 0.88-acres in size, for an existing Raising Cane's drive-thru restaurant located at 7804 Greenback Lane as shown as Exhibit B and subject to the findings contained in the staff report and the conditions of approval as listed in Exhibit C.

## **BACKGROUND**

The subject site is a 5-acre parcel fronting Greenback Lane to the north and Birdcage Street to the west. The southern end of the parcel is occupied by Hobby Lobby, with the north end occupied by a Raising Cane's drive-through restaurant that the Planning Commission approved at the December 9, 2022 meeting. The parcel is surrounded by commercial retail uses to the north, east, and south, with Birdcage Village Apartments to the west (Attachment 1).

## **PROJECT DESCRIPTION**

The current proposal would involve splitting the existing 5-acre parcel into two parcels, 4.12 and 0.88-acres respectively (Exhibit B). The proposed parcels are based on the existing lease lines held between Raising Cane's and the current property owner. Access easements will be required after the map has been recorded. No physical changes are being proposed to the property, and no existing easements shall be affected by the proposed lot split.

### **TENTATIVE PARCEL MAP (FILE # PLN-22-14)**

#### ***Tentative Parcel Map – Description of Request***

The Tentative Parcel Map proposes to create two (2) parcels from one existing parcel. There is no further development proposed for the site, and the splitting of the parcel would not hinder further development of the site as it is fully developed with a drive-through restaurant.

#### ***Tentative Parcel Map – Analysis of Request***

The Citrus Heights Zoning Code and the California Subdivision Map Act require that findings be made in order to approve a Tentative Parcel Map. The required findings are listed below in italicized bold print and are followed by an evaluation of the tentative parcel map in relation to each finding.

- ***The proposed tentative parcel map is consistent with the General Plan and the design or improvement of the proposed subdivision is consistent with the General Plan.***

The site has a General Plan Designation of General Commercial (GC). The proposed tentative map is consistent with the General Plan and the creation of one additional parcel is consistent with the General Plan and Zoning Ordinance. The subdivision will be contained wholly within the project site, an existing Hobby Lobby and Raising Cane's drive-through restaurant.

In September 2018, the City Council adopted General Plan Policy 9.5 which states:

- ***Discourage the creation of any new parcels within existing commercial centers, if such creation might hinder the viability and/or future redevelopment of the center.***

The intent of this policy is to ensure that subdivisions in commercial developments do not hinder future redevelopment opportunities. The proposed subdivision is limited to the existing Hobby Lobby and Raising Cane's buildings and the immediate infrastructure serving the buildings. The intent of the subdivision is to allow the sale of the drive-through lease area to Raising Cane's.

Due to the fact that the subdivision is limited to the existing buildings, staff does not believe the subdivision will hinder future redevelopment opportunities to the site. Further, the location of the existing building is located near the perimeter of the site and will not hinder access to and from the balance of the property. The property is contained within an existing easement, maintenance, and access agreement to ensure the future parcel continues to be maintained as part of the larger center.

The property is within the Shopping Center (SC) zoning designation. There is no minimum lot area, width and depth in the SC zone.

The property is fully developed with landscaping, parking and site improvements. No new physical improvements are proposed. Site parking is shared across the existing and proposed parcels. The project is conditioned to ensure the new parcel will maintain existing access and parking for the complex, and that access easements be recorded across the Hobby Lobby parcel to provide access to the Raising Cane's parcel after the map has been recorded and the property has been sold, as the existing owner cannot grant an easement to themselves. (Condition of Approval #4).

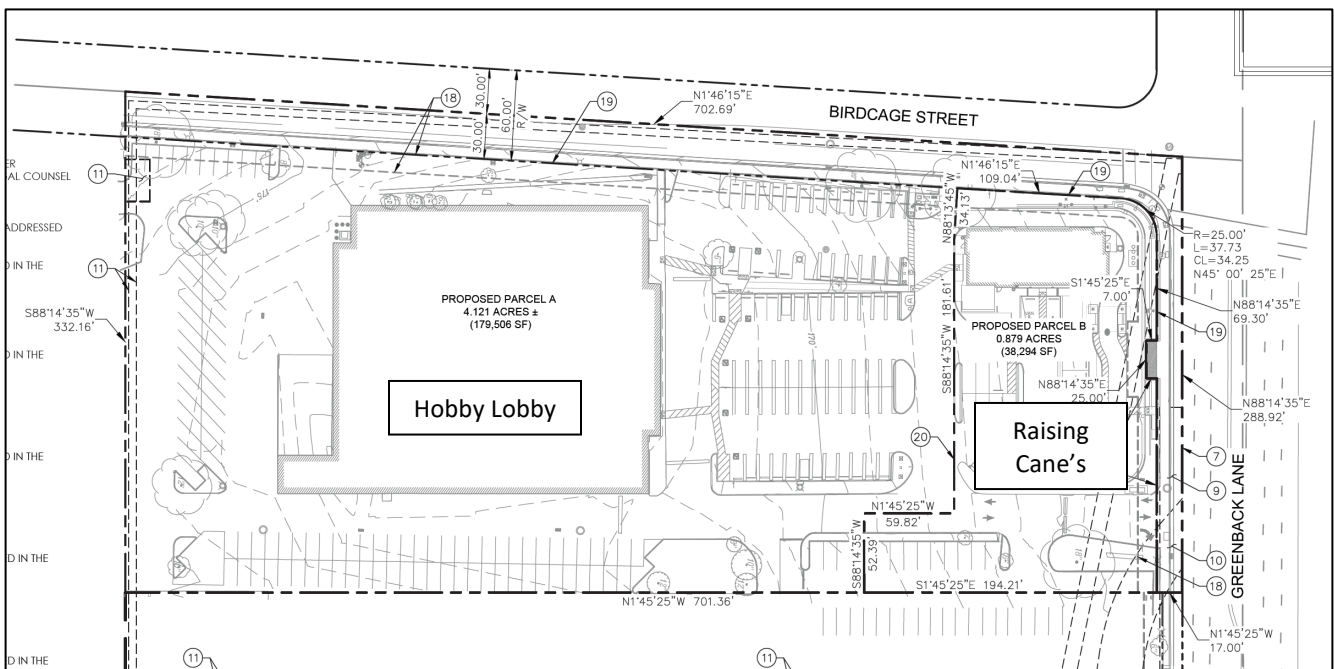


Figure 1: Proposed Parcel Map

- ***The site is physically suited for the type and proposed density of development.***

There are no minimum lot dimensions in a commercial zone so long as new development complies with the City's commercial development standards. No new development is proposed at this time.

- ***The design of the proposed tentative map is not likely to cause substantial environmental damage and the type of improvements is not likely to cause serious public health problems.***

The purpose of the requested tentative map is to allow separate ownership of the existing Raising Cane's drive-through lease area. No improvements are proposed as part of this project so the proposed subdivision does not have the potential to cause substantial environmental damage or cause public health problems.

- ***The design of the proposed tentative map will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.***

The project site retains existing access to both Greenback Lane and Birdcage Street. The project will not affect any existing easement and will be required to create access easements for the newly created Raising Cane's parcel.

### **Tentative Parcel Map – Conclusion**

Based upon the information above, staff believes that the Planning Commission can make the required findings to approve a Tentative Parcel Map.

### **FINDINGS FOR TENTATIVE PARCEL MAP APPROVAL**

- ***The proposed tentative parcel map is consistent with the General Plan and the design or improvement of the proposed subdivision is consistent with the General Plan.***
- ***The site is physically suited for the type and proposed density of development.***
- ***The design of the proposed tentative parcel map is not likely to cause substantial environmental damage and the type of improvements is not likely to cause serious public health problems.***
- ***The design of the proposed tentative parcel map will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.***

### **ENVIRONMENTAL DETERMINATION**

This project is categorically exempt from CEQA under Class 15 of the CEQA Guidelines as a minor land division. This exemption is warranted because the project conforms with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous two years, and the parcel does not have an average slope greater than 20 percent.

### **PUBLIC OUTREACH**

Property owners within 500 feet of the project site were mailed a meeting notice as required and a notice of this hearing was published in the Citrus Heights Messenger. In addition, the nearby neighborhood association (NA #11) was notified of the project. To date, no comments have been received on the project.

### **RECOMMENDED MOTIONS**

The Planning Division recommends the Planning Commission make the following motions:

1. Adopt Resolution 22-\_\_\_\_\_ determining the project is Categorically Exempt from CEQA per Section 15315 (Minor Land Divisions) of the California Environmental Quality Act;
2. Approve a Tentative Parcel Map to allow the division of an existing 5-acre parcel into two parcels, 4.12 and 0.88-acres in size, for an existing Raising Cane's drive-thru restaurant located at 7804 Greenback Lane as shown in Exhibit B subject to the findings listed in the staff report and the conditions contained provided as shown in Exhibit C.

Exhibits:

- A: Resolution 22-\_\_\_\_\_
- B: Proposed Tentative Map
- C: Conditions of Approval

Attachments

1. Vicinity Map